

REMARKS

Claims 1-53 are presently pending. Claims 1, 2, 8-10 and 53 have been amended. Claims 3-5, 11, 13-15, 19-26, 29-50 and 52 have been withdrawn as being drawn to a non-elected invention and non-elected species. Applicants reserve the right to file one or more divisional applications directed to the non-elected invention and/or species.

Applicants respectfully request reconsideration of the application in view of the foregoing amendments and the remarks appearing below.

Rejections under 35 U.S.C. § 102***Boss***

The Examiner has rejected claims 1, 6, 12, 16, 27, 28, 51 and 53 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3, 484,810 to Boss, stating that Boss discloses all of the elements of these claims. Applicants respectfully disagree.

Boss shows a freestanding display stand comprising a pair of upright standards (21A, 21B) and a pair of X-bracing members (31, 32) fastened to the standards with pivot pins (34A, 34B). The upright standards are different from the X-bracing members. The standards support one or more shelves (36) via corresponding shelf support brackets(27).

Regarding independent claims 1 and 53, each of these claims, as amended, requires among other things a plurality of standardized, like members connected to one another to form a frame that substantially defines a plane. The Boss freestanding display, on the other hand, does not have a frame made of like members. Boss' upright standards are different from Boss' X-bracing members. At most, the Boss display could be asserted to comprise a frame consisting of two sets of like members, i.e., the two upright standards forming one set and the two X-bracing members forming the other set. Such a structure is much different from a structure according to either amended claim 1 or 53 that require that the frame be made from like members. In the context of the Boss patent, in order for the Boss display to anticipate amended claims 1 or 53, either the X-bracing members would have to be like the two upright standards or the upright standards would have to be like the two X-bracing members so that all of the members are "like

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members." Neither of these scenarios makes any practical sense. Therefore, Applicants assert that the Boss patent cannot anticipate independent claims 1 and 53, nor claims 6, 12 and 16 that depend therefrom.

Regarding independent claims 27 and 51, each of these claims requires the frame to be configured in a grid or grid-like manner. Applicants assert that it is not reasonable for the Examiner to assert that Boss' two upright standards and X-bracing members form a grid, which connotes that pairs of members are parallel with one another. Boss' X-bracing members certainly are not parallel with one another. Consequently, Applicants assert that the Boss patent cannot anticipate independent claims 27 and 51, nor claim 28 that depends therefrom.

For at least the foregoing reasons, Applicants respectfully request that the Examiner withdraw the present anticipation rejection made in view of the Boss patent.

Kamrud, Sr.

The Examiner has rejected claims 1, 6, 7, 9, 12 and 16-18 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,676,472 to Kamrud, Sr., stating that Kamrud, Sr. discloses all of the limitations of these claims. Applicants respectfully disagree.

Kamrud, Sr. discloses a device (10) for holding a high-voltage conductor. The device includes first and second bracket arms (28, 30) each connected to one another with a bolt (40).

Regarding independent claim 1, this claim, as amended, requires among other things a plurality of first connectors connecting corresponding respective ones of a plurality of standardized, like members to one another. Applicants assert that the Kamrud, Sr. device does not include either a plurality of first connectors or a plurality of like members.

Contrary to the Examiner's assertion, the Kamrud, Sr. device includes only one connector, i.e., bolt 40. The Examiner asserts that the Kamrud, Sr. device includes a plurality of connectors consisting of bolt "40 and the washers in exploded view." Applicants assert that washer are not connectors. A connector is something that joins, or connects, one part to another. Washers do not provide this function. Rather, washers are provided to serve any one or more of a number of other functions, such as distributing loads from a bolt head or nut and providing a

hardened surface for preventing damage to a part by direct contact with a bolt head or nut, among others. The only connector in the Kamrud, Sr. device that connects bracket arm 28 to bracket arm 30 is bolt 40. Consequently, Kamrud, Sr. fails to disclose or suggest a plurality of first connectors as recited in independent claim 1.

In addition, the Kamrud, Sr. device does not include a plurality of standardized, like members connected to one another to form a frame. Bracket arms 28, 30 are not like members. Bracket arm 28 differs significantly from bracket arm 30 at their respective ends that are connected to one another by bolt 40. Particularly, the end of bracket arm 28 includes two plates 38 containing holes for receiving the bolt. Bracket arm 30, on the other hand, lacks these plates. Therefore, bracket arm 28 is not like bracket arm 30. Rather, bracket arms are complementary to one another.

Since Kamrud, Sr. fails to disclose or suggest at least these features of the support system of claim 1, the Kamrud, Sr. patent cannot anticipate amended independent claim 1, nor claims 6, 7, 9, 12 and 16-18 that depend therefrom. For at least this reason, Applicants respectfully request that the Examiner withdraw the present anticipation rejection made in view of the Kamrud, Sr. patent.

Rejection under 35 U.S.C. § 103

Boss/design choice

The Examiner has rejected claims 8 and 10 under 35 U.S.C. §103 as being obvious in view of the Boss patent, discussed above, and further in view of ordinary skill in the art, stating that Boss discloses all of the limitations of these claims for the standardized members being made of folded cellulose pressboard. The Examiner then asserts that it would have been obvious to a person having ordinary skill in the art at the time of the invention as a matter of design choice to provide the Boss display stand with folded pressboard members. Applicants respectfully disagree.

In addition to claims 8 and 10 being patentable over the Boss patent for the reasons discussed above relative to the anticipation rejection made in view of the Boss patent, there

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simply is no disclosure or suggestion that other members, and particularly tubular folded pressboard members, are desirable alternatives to the durable, generally lightweight members of the Boss display stand that appear to be made of metal. As stated by Boss, his display stand is designed particularly for traveling exhibitors and to permit convenient knock-down and transportation.

Applicants assert that making the members of the Boss display stand out of pressboard would be counterproductive, since the stand is intended to be durable and well suited to travel. Pressboard is relatively bulky and heavy compared to the members disclosed by Boss. Additional weight and bulk are simply not desirable in a portable, easy-to-handle display stand. Furthermore, pressboard is relatively brittle and, therefore prone to chipping. High susceptibility to chipping is not desirable in a device that must withstand various conditions experienced during traveling, e.g., rough handling and continual set-up and break-down. Consequently, Applicants assert that the Examiner is using hindsight of the present claims to improperly formulate the present obviousness-type rejection.

For at least these reasons, Applicants respectfully request that the Examiner withdraw the present obviousness-type rejection of claim 8 and 10.

CONCLUSION

In view of the foregoing, Applicants submit that claims 1, 2, 6-10, 12, 16-18, 27, 28, 51 and 53, as amended, are in condition for allowance. Therefore, prompt issuance of a Notice of Allowance is respectfully solicited. If any issues remain, the Examiner is encouraged to call the undersigned attorney at the number listed below.

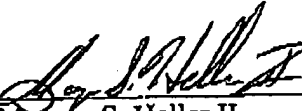
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Respectfully submitted,

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